

REMARKS

In the Election of Species Requirement mailed May 5, 2006, the Examiner required election of a single disclosed species under 35 U.S.C. § 121.

Briefly, the Examiner has identified two patentably distinct species:

Species A: FIG. 1A; and

Species B: FIGS. 4A and 4B.

Applicants hereby elect Species A with traverse for further prosecution, pending allowance of a generic claim. Further, it is submitted that Species A most closely reads on claims 1 and 2, as currently pending.

Applicants submit that the complete examination of the application would be handled most expeditiously by treating all of the pending claims as a single entity, as the claimed species are highly related and involve similar valve structures. As the Manual of Patent Examining Procedure (M.P.E.P.) § 803 directs, “[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” Applicants respectfully submit that the Examiner has not shown that a search and examination of the entire application would cause a serious burden. Rather, a serious burden would arise if the application were restricted.

Based on the foregoing, Applicants respectfully submit that the election of species requirement is improper and respectfully request withdrawal. Nonetheless, should the Examiner maintain the election requirement, Applicants, as noted above, elect the species of Group A (claims 1-2), with traverse, pending allowance of a generic claim.

CONCLUSION

In view of the above, each of the claims presently under consideration are believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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